

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

Gerald Lee Scott a/k/a Gerald L. Scott,)
Plaintiff,) C/A No. 8:07-2046-MBS
v.)
Thomas Edwards, County Administrator;)
A. Lane Cribb, County Sheriff; Michael)
Schwartz, Jail Administrator; Barry) **ORDE**
Marsh, Captain of Operations; Georgetown)
County,)
Defendants.)

)

At the time of the underlying complaint, Plaintiff Gerald Lee Scott was a pretrial detainee housed at the Georgetown County Detention Center in Georgetown, South Carolina. Plaintiff, appearing pro se, brings this action pursuant to 42 U.S.C. § 1983, alleging that he has been subjected to unconstitutional conditions of confinement.

This matter is before the court on motion for summary judgment filed by Defendants on November 12, 2007 (Entry 17). By order filed November 13, 2007, pursuant to Roseboro v. Garrison, 528 F.2d 309 (4th Cir. 1975), Plaintiff was advised of the summary judgment procedure and the possible consequences if he failed to respond adequately. Plaintiff filed a memorandum in opposition to Defendants' motion on December 10, 2007, to which Defendants filed a reply on December 19, 2007.

In accordance with 28 U.S.C. § 636(b) and Local Rule 73.02, D.S.C., this matter was referred to United States Magistrate Judge Bruce H. Hendricks for pretrial handling. The Magistrate Judge filed a Report and Recommendation on June 12, 2008, in which she recommended that Defendants'

motion for summary judgment be granted. Plaintiff filed no objections to the Report and Recommendation.

The Magistrate Judge makes only a recommendation to this court. The recommendation has no presumptive weight. The responsibility for making a final determination remains with this court. Mathews v. Weber, 423 U.S. 261, 270 (1976). The court is charged with making a *de novo* determination of any portions of the Report and Recommendation to which a specific objection is made. The court may accept, reject, or modify, in whole or in part, the recommendation made by the Magistrate Judge or may recommit the matter to the Magistrate Judge with instructions. 28 U.S.C. § 636(b)(1). In the absence of objections to the Report, this court is not required to give any explanation for adopting the recommendation. Camby v. Davis, 718 F.2d 198, 199 (4th Cir. 1983).

The court has carefully reviewed the record and concurs in the recommendation of the Magistrate Judge. The Report and Recommendation is incorporated herein by reference. Accordingly, Defendants' motion for summary judgment (Entry 17) is **granted**, and the case dismissed.

IT IS SO ORDERED.

/s/ Margaret B. Seymour
United States District Judge

July 21, 2008
Columbia, South Carolina

NOTICE OF RIGHT TO APPEAL

Plaintiff is hereby notified that he has the right to appeal this order pursuant to Rules 3 and 4 of the Federal Rules of Appellate Procedure.